

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNI-CON FLOORS, INC.
Plaintiff,

v.

BRICKLAYERS & ALLIED CRAFTSMEN
UNION, LOCAL 3 – EASTERN
MASSACHUSETTS
Defendant.

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) C.A. No.: 05-10463 NG
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DEFENDANT’S MOTION TO ATTACH PERSONAL PROPERTY

Pursuant to Federal Rule of Civil Procedure 69 and Massachusetts Rule of Civil Procedure 4.1, Defendant Bricklayers and Allied Craftsmen Local 3—Eastern Massachusetts hereby moves for permission to attach the personal property of Plaintiff Uni-Con Floors, Inc., including goods, money and effects located at 2137 South Main Street, Fall River, Massachusetts 02724 to the value of \$192,103.00. Defendant files the attached Memorandum and Affidavit in support of its Motion.

Respectfully submitted,
For Defendant
Bricklayers and Allied Craftsmen
Local 3—Eastern Massachusetts

By its Attorney

/s/ Jonathan M. Conti
Jonathan M. Conti, BBO#657163
Feinberg, Campbell & Zack, P.C.
177 Milk Street
Boston, MA 02109
(617) 338-1976

Dated this 26th day of January 2007.

CERTIFICATE OF SERVICE

I, Jonathan M. Conti, hereby certify that a copy of the Motion to Attach Personal Property, Memorandum in Support of Motion to Attach Personal Property and Affidavit of Charles Raso, and proposed Order were served via UPS overnight delivery on the following:

Uni-Con Floors, Inc.
2137 South Main Street
Fall River, MA 02724;

Harvey B. Heafitz, Esq.
Heafitz & Sullivan
56 Chestnut Hill Avenue
Boston, MA 02135; and

the following will receive said documents via electronic mail and UPS overnight delivery:

David M. Fleury, Esq.
Carmichael, Zajac & Fleury, P.C.
170 High Street
Taunton, MA 02780.

Dated: January 26, 2007

/s/ Jonathan M. Conti
Jonathan M. Conti

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DISTRICT OF MASSACHUSETTS

_____)	
UNI-CON FLOORS, INC.)	
Plaintiff,)	
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v.)	C.A. No.: 05-10463 NG
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BRICKLAYERS & ALLIED CRAFTSMEN)	
UNION, LOCAL 3 – EASTERN)	
MASSACHUSETTS)	
Defendant.)	
_____)	

**ORDER OF APPROVAL OF
PERSONAL PROPERTY ATTACHMENT**

This cause came on to be heard after notice and opportunity to be heard, upon a motion for approval of attachment, and upon consideration thereof the court hereby finds that there is a reasonable likelihood that the Defendant will recover judgment, including interest and costs, in an amount equal to or greater than the amount of the attachment approved herein over and above any liability insurance shown by Plaintiff to be available to satisfy the judgment.

WHEREUPON the court hereby approves attachment in the amount of \$192,103.00.

United States District Judge

(Date)